

66th LEGISLATURE—REGULAR SESSION

PROPOSED CONSTITUTIONAL AMENDMENTS—  
GOVERNOR—BUDGET—EXECUTION—  
CONTROL

H. J. R. No. 86

Proposing a constitutional amendment relating to execution of the state budget.

*Be it resolved by the Legislature of the State of Texas:*

Section 1. That Article IV of the Texas Constitution be amended by adding Section 14a to read as follows:

Sec. 14a. The legislature by general law, or by rider in a general appropriations act not inconsistent with general law, may authorize or direct the governor, with the approval of the budget execution committee, to exercise fiscal control over the expenditure of appropriated funds, excluding funds constitutionally dedicated to specific purposes, in the manner, to the extent, and subject to the conditions and limitations provided by the law or rider. The law or rider is not subject to Article II of this constitution.

The budget execution committee shall be composed of the governor, as chairman, the lieutenant governor, as vice-chairman, the speaker of the house of representatives, the chairman and vice-chairman of the senate finance committee, and the chairman and vice-chairman of the committee on appropriations of the house of representatives.

Sec. 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 4, 1980. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to grant the governor power to exercise fiscal control over the expenditure of appropriated funds as provided by law."

Passed by the House on May 26, 1979: Yeas 101, Nays 36; passed by the Senate on May 28, 1979: Yeas 30, Nays 1.

Filed without signature.

Filed with the Secretary of State, May 29, 1979.

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PROPOSED CONSTITUTIONAL AMENDMENTS—CRIMINAL  
PROCEDURE—APPEALS—PRETRIAL RULINGS

H. J. R. No. 97

Proposing a constitutional amendment to grant the state the right of appeal in criminal cases from certain rulings of the trial court.

*Be it resolved by the Legislature of the State of Texas:*

Section 1. That Article V, Section 26, of the Texas Constitution be amended to read as follows:

Sec. 26. The State shall have no right of appeal in criminal cases, except as provided by this section. In addition to the rights of appeal provided to an accused by law and subject to the guarantees of the Bill of Rights of this constitution, both the State and the accused shall have the right, in a criminal case, to an interlocutory appeal, as provided by law, from a ruling of the trial court at a pretrial hearing as to the con-

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stitutionality of a particular statute or from a pretrial ruling of the trial court on a motion to quash, dismiss, or set aside an indictment or a motion to suppress evidence.

Sec. 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 1980. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing appeal of certain pretrial rulings of a trial court in a criminal case by either the state or the accused."

Passed by the House on May 26, 1979: Yeas 104, Nays 30, 1 present, not voting; House concurred in Senate amendments to H. J. R. No. 97 on May 28, 1979: Yeas 116, Nays 25, 1 present, not voting; passed by the Senate, as amended, on May 28, 1979: Yeas 29, Nays 0. Filed without signature.

Filed with the Secretary of State, May 29, 1979.

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## PROPOSED CONSTITUTIONAL AMENDMENTS—TAXATION— COUNTIES—SINGLE APPRAISAL AND SINGLE BOARD OF EQUALIZATION

H. J. R. No. 98

Proposing a constitutional amendment to require a single appraisal and a single board of equalization within each county for ad valorem tax purposes.

*Be it resolved by the Legislature of the State of Texas:*

Section 1. That Article VIII, Section 18, of the Texas Constitution be amended to read as follows:

Sec. 18. (a) The Legislature shall provide for equalizing, as near as may be, the valuation of all property subject to or rendered for taxation, and may also provide for the classification of all lands with reference to their value in the several counties.

(b) A single appraisal within each county of all property subject to ad valorem taxation by the county and all other taxing units located therein shall be provided by general law. The Legislature, by general law, may authorize appraisals outside a county when political subdivisions are situated in more than one county or when two or more counties elect to consolidate appraisal services.

(c) The Legislature, by general law, shall provide for a single board of equalization for each appraisal entity consisting of qualified persons residing within the territory appraised by that entity. Members of the board of equalization may not be elected officials of the county or of the governing body of a taxing unit.

(d) The Legislature shall prescribe by general law the methods, timing, and administrative process for implementing the requirements of this section.

Sec. 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 1980. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment requiring a single appraisal and a single board of equalization within each county for ad valorem tax purposes."

Passed by the House on May 7, 1979: Yeas 121, Nays 12, 2 present, not voting; passed by the Senate on May 24, 1979: Yeas 31, Nays 0. Filed without signature.

Filed with the Secretary of State, May 25, 1979.